



BRIEFING: November Board Meeting Agenda Item #9

TO: **Chairman Pringle and Authority Board Members**

FROM: **Jeffrey M. Barker, Deputy Director**

DATE: **October 30, 2009**

RE: **Statewide Public Information and Communication Program Contractor**

1. The Need for a Statewide Public Information and Communication Program

A project of the size and scope of the California high-speed train system will have a profound effect on our state – our economy, our environment, and every community along the system’s path. Additionally, the system will be planned, engineered, and constructed using, in part, billions of dollars of public funding, largely from state and federal sources. (It is worthwhile to note that it was the people of the state who voted in November 2008 to partially fund the construction of the first phase of the system with \$9.95 billion in bonds.) For all of these reasons, it is paramount that the Authority, a state government entity, adequately keep Californians informed about the project, its progress, its finances, its Board’s activities, and more. The likelihood of receiving American Recovery and Reinvestment Act dollars will also increase the Authority’s transparency requirements.

Additionally, communications and outreach are critical to the project’s success. The Authority cannot build a high-speed rail system alone. It needs partners in the Legislature, partners in the business community, partners in cities and neighborhoods, partners in Washington D.C., and so on. Only through the distribution of accurate information will we be able to build those partnerships, and only through frequent contact with these partners will the project come to fruition.

2. What We Mean By “Communications” and “Outreach”

“Communications” is not a synonym for “PR,” and it does not refer only to dealing with the news media. In fact, those elements are just a portion of what we mean when we talk about “communications.”

Communications functions for the Authority include every aspect of information and how it flows both within the Authority’s organization and externally to the public. It includes: research and fact-finding; internal communications (how the Authority’s executive leadership disseminates information throughout

the organization and also how information is fed, from throughout the organization's contractors and staff, up to the executive staff); keeping Board members briefed; external outreach to ensure community organizations are apprised of public events and key opportunities, legislators and their staffs are armed with answers for their constituents, and the financial community is engaged in the project's development; working with the evolving news media; maintaining a Web site and social media tools; adhering to open public meeting laws and the Authority's policy of transparency; developing printed materials; developing advertising when necessary; responding to inquiries from the public, and more.

3. What the Authority Currently Has for a Statewide Communications Team

Currently, the Authority does not directly contract for statewide communications and outreach team. Instead, it uses a firm subcontracted through the program management contractor, Parsons Brinckerhoff. That subcontractor is the Deutschman Communications Group (DCG), led by Kris Deutschman. DCG then subcontracts with separate companies to provide services related to outreach, written materials, Web site management, etc.

Additionally, each of the regional management teams (contracted with the Authority and overseen by the program management team) that are responsible for the environmental work in their respective sections employs outreach personnel, in some cases from their own staffs and in some cases as subcontractors. Those outreach personnel focus specifically on the public information and outreach required with the federal and state environmental review processes (CEQA and NEPA).

The result of this current set-up is a structure in which there is little direct responsibility to the Authority and no contractual requirement that members of the outreach effort report to the person charged with supervising them.

By way of comparison, the state Air Resources Board (an 11-member board of gubernatorial appointees, which has a budget this fiscal year of approximately \$850 million and enjoys a level of public attention and scrutiny similar to that which the High-Speed Rail Authority is beginning and will continue to see), staffs a state level Communications operation of 12 full-time positions.

Within the past three months, the Authority has created the position of Deputy Director for Communications, Policy and Public Outreach and Jeff Barker was appointed to fill that position.

4. How the Landscape/Needs of the Project Have Changed

Within the past year, there have been significant events that call for dramatic changes to its communications and outreach efforts. Proposition 1A was passed by the voters, putting \$9.95 billion in bonds behind the project. Also, earlier this year, \$8 billion for high-speed intercity rail was included in the federal stimulus plan; California is positioned to receive a significant portion of those funds. Put quite simply: the Authority has been transformed from an agency planning and designing a high-speed rail system in the hope that California may one day build it to an agency with a mandate to construct the

system. The practical effect of these changes, and the infusion of funding, is that exponentially more Californians are paying attention to the Authority's work and participating in the planning and design stages of the project. We have gone from meeting with only transportation officials and city planners to meeting with hundreds of residents in community meetings and members of Congress. The requests for information, visits to our Web site, public meetings, news stories, legislative hearings – they have all increased, and will continue to increase.

5. Examples of Communications and Outreach Pitfalls from Recent History

As these activities have increased, we have seen examples of where the Authority's communications and outreach apparatus is inadequate.

Two recent examples:

- When a Sacramento judge made a high-profile ruling on a lawsuit that involved high-speed rail, the Authority was not prepared for the inevitability of the ruling and was slow in reacting to it, which resulted in a round of negative and inaccurate news stories, as well as a misunderstanding among interested parties, including members of the Legislature, as to what the ruling meant.
- Some cities in the Bay Area's Peninsula feel they have not been adequately involved in the planning stages of the San Jose – San Francisco high-speed rail section and therefore have formed a coalition, organized their own informational meetings, and hired their own consultants to answer high-speed rail-related questions.

It's worth noting that the Authority has at least two major events in the near term that will require extensive outreach and communications services: the submission of a Business Plan to the Legislature, and the potential award of ARRA funding.

6. What We Are Proposing to Bring Aboard

On May 7, 2009, the Authority unanimously voted to approve the advertisement of a Request for Proposals for a communications and outreach program¹.

The goals are to: 1) bring the Communications and Outreach efforts under direct report to the Authority; 2) increase the amount and intensity of our outreach, information, and transparency efforts proportionally with the new levels of interest, activity, and importance of the project; 3) more effectively engage stakeholders and elected officials in the environmental and design processes.

We are proposing to contract with a full service public relations firm to support the Deputy Director for Communications, Policy and Public Outreach position and assist in overseeing the outreach and communications efforts throughout the state.

¹ See May 7, 2009 Meeting Minutes: http://www.cahighspeedrail.ca.gov/images/chsr/20090710111512_May09Minutes.pdf

Deliverables

The contractor will be expected to deliver to the Authority services not limited to:

- Outreach – to ensure adequate contact and information sharing with project stakeholders, elected officials, community groups, advocacy groups, diverse ethnic communities, local governments, regional transportation agencies, other interested parties
- Research – fact-finding and information gathering for the purposes of reports, briefings, policy recommendations, program development, etc.
- Web site and New Media – Maintenance and design of the Authority's online presence
- Media Relations – to include news monitoring
- Printed Materials – production of printed materials, and assistance with the production of public documents such as business plans and annual reports
- Advertising – when appropriate, the production and placement of advertising campaigns

Note that the Authority will work with the contractor to determine measurable outcomes of outreach and communications work. In many cases, these outcomes will be reflected in increased attendance at public meetings, increased visits to the Authority's Web site and other online tools, improved and increased partnerships with local and regional government entities, etc.

7. Why This is a Good Deal for the Taxpayer

How Much Would a State Staff Cost?

If the Authority was to build a Communications and Outreach staff similar to the one employed by the Air Resources Board, it would cost approximately \$1 million annually in salaries alone.

The average pay for a state worker is about \$65,000 (in 2008 dollars²). Benefits add about another 30 percent for non-public safety employees³. That makes the base pay for an average state worker \$84,500. Assuming a Communications and Outreach staff of 12 personnel years (PYs), that would amount to a cost of \$1.014 million per year. And that estimate does not include travel costs, costs for printed materials, equipment, media monitoring costs, etc.

Additionally, a state staff of this nature would not easily expand or contract as the dynamic nature of the high-speed rail project will require.

² See <http://www.dpa.ca.gov/job-info/workforce/average-base-pay.htm> at the Department of Personnel Administration's Web site

³ Per Department of Personnel Administration, queried 9/16/09 by the Authority

How Much Do We Currently Spend?

The project's Program Management Team is currently budgeted for \$1.1 million in statewide outreach and communications work for the year. But the expenditures month-to-month are varied. For example, in February 2008, \$49,339.62 was billed for this type of work. However, in May 2008 the invoices totaled \$105,708.08 and in August 2009 they totaled \$91,951.60⁴.

The Communications and Outreach contract proposed by the Authority would increase the budget for these activities by a factor of 1.8. That compares to the Authority's overall budget, which has increased in recent years by nearly 1,200 percent and is expected to increase from 2009-10 to 2010-11 by approximately 600 percent.

8. The RFP Process

Following an initial RFP process that was conducted in August of this year, on September 10, it was determined to re-start the bidding process on the Statewide Outreach and Communications program⁵. The schedule for the RFP, and the process, were explicitly outlined within the RFP⁶ and were as follows:

- Advertisement on 9/21
- Written proposals due 9/28
- Panel Assembled (at the direction of the Executive Director, a panel of five was selected, and which included staff of the Authority and individuals from other state agencies and from outside of state government, a majority of whom have experience and/or expertise in communications and/or outreach/public affairs)
- Written Evaluation (each panel member individually evaluated the written proposals to determine if it met the proposal requirements contained in Section VI of the RFP and scored those proposals based on pre-set list of criteria and point values assigned those criteria (consistent with the state's RFP process). Only proposals that scored an average of 85 percent or above were invited to interview in person.
- In-Person Interviews were held on Oct. 22 with the entire panel of evaluators in attendance. Interviews were separately evaluated based on criteria shown on Attachment D, in addition to queries from the panel, whose members used a pre-determined list of questions⁷ in an effort to provide a set of uniform criteria on which to score the applicants.
- Selection. For each applicant, the scores awarded by each of the panel members were added together and averaged. The highest-scoring applicant is being recommended.

⁴ Parsons Brinckerhoff Invoices, submitted to the Authority

⁵ Memo from Chairman Curt Pringle to Board Members, 9/10/2009

RFP included here as an attachment

⁷ See list of "QUESTIONS – RFP Oral Interviews – 10/22/09"

The Panel

The panel consisted of five people, the majority of whom have experience with Communications and Outreach and all of whom have experience with transportation projects. They were:

- Carrie Pourvahidi, Chief Deputy Director, California High-Speed Rail Authority
- Jeffrey M. Barker, Deputy Director, California High-Speed Rail Authority
- Ellen Burton, Executive Director, External Affairs, Orange County Transportation Authority
- Lynda Bybee, Deputy Executive Officer, Los Angeles Metro Regional Communications
- Seamus Murphy, Government Affairs Manager, SamTrans, Caltrain, SMCTA

The Proposals

The Authority received seven (7) responsive written proposals. They were from the firms of:

- Ogilvy Public Relations Worldwide
- Edelman
- Howard Communications
- Hershey/Cause
- Fleishman Hillard
- Porter Novelli
- MWW

Of those proposals, two scored above the necessary 85 percent to be invited to interview in person.

Interviews were conducted with the teams assembled by:

- Ogilvy Public Relations Worldwide
- Porter Novelli

9. The Recommendation

The panel agreed unanimously to recommend the Ogilvy team.

Following the interviews, Ogilvy scored approximately 8.5 percentage points higher than Porter Novelli.

Ogilvy Public Relations is a global firm with offices throughout California, in addition to offices in New York (important to our needs related to the financial community) and Washington D.C. (important to the Authority's work related to federal support and funding). It is a firm that has the ability to expand and contract as the Authority's needs warrant.

Ogilvy is also a firm experienced in working with state contracts, including work for the state Treasurer's Office, the State Auditor, the California Earthquake Authority, the Department of Water Resources, etc. It therefore has experience in accounting for the use of public dollars. Queries to state offices revealed entities pleased with Ogilvy's work. In particular, it is worth noting Ogilvy's work with the Treasurer's Office in increasing the visibility of state bond sales; the Treasurer's goal was to increase the number of individual investors purchasing state-issued bonds, and according to the Treasurer's Office, the publicity effort led to bond sales to individuals that far exceeded expectations.

Ogilvy included as elements of its proposal key team members that will be of particular utility to the Authority:

- The Deutschman Communications Group is included as a subcontractor and member of the Ogilvy team. Kris Deutschman has worked with the Authority (most recently as a subcontractor to program management contractor Parsons Brinckerhoff) for nearly a decade and therefore brings a continuity that will be critical during a transition at this high-activity time for the project. Additional members of her team will continue on the project as well.
- A “strategic counsel team” was included as part of the proposal to advise the Authority and outreach team on key issues and events.

10. Board Recommendation

It is the staff’s recommendation that the Board vote to give the Executive Director authority to enter into a contract with Ogilvy Public Relations Worldwide not to exceed \$9 million contract over the course of approximately 54 months (to begin as soon as the contract can be executed and end June 30, 2014). This contract would be negotiated annually.

Attachments:

- ✓ Request for Proposal Notice, Statewide Public Information and Communication Program Number HSR09-06
- ✓ HSR09-06: Questions & Answers
- ✓ March 2, 2007 Board Agenda Action Item regarding RFP procedures (approved by the Authority Board on that day)
- ✓ September 10, 2009 Memo to Board Members
- ✓ Prepared questions for the October 22, 2009 in-person interviews related to HSR09-06
- ✓ Draft Resolution

**State of California
California High Speed Rail Authority**

**Request for Proposal Notice
Statewide Public Information and Communication Program**

Number HSR09-06

Special Note: The integrity of the selection process is of the utmost importance to the Authority. Failure to comply with the stated process will most likely result in disqualification.

Persons intending to submit Proposals for this contract may not contact or discuss any items related to this process with any board member or Authority staff from the time of advertisement until notice of award. All questions or communications related to this contract shall be addressed to Ms. Mejia, through letter, fax or email. All questions and responses for the Authority will be posted on the Authority website at www.cahighspeedrail.ca.gov for the benefit of all participants.

Address all questions concerning this Request for Proposal (RFP) in writing to the attention of Rosemary Mejia at rmejia@hsr.ca.gov or by fax (916) 322-0827.

I. GENERAL INFORMATION

- A. The State of California, California High-Speed Rail Authority (Authority) is requesting proposals from qualified firms that may lead to the award of a contract for the Statewide Public Information and Communication Program.
- B. The estimated annual amount is \$1,500,000.00 with the total amount of the contract not to exceed \$9,000,000.00 for the term of five years.
- C. The contract term is November 16, 2009 – June 30, 2014.
- D. A bidder's conference will not be held. Questions regarding this RFP must be submitted in writing. Only those written questions received by 4:00PM on September 28, 2009 will be responded to.
- E. Interviews will be held in Sacramento, CA on October 22, 2009. The selection process will be based on the evaluation of the written and oral proposals (For more details description of the selection process, see Section VII. Contractor/Team Selection).

Key RFP Dates:

09/21/09	Final RFP advertised and released on the State Contract Register and issued to prospective respondents.
09/28/09	Written Question Submittal Deadline
10/13/09	Proposals due to Authority office by 4:00 PM
10/22/09	Oral interviews in Sacramento, CA
10/28/09	Participants notified of the results of the selection process
11/05/09	The Authority's Board will review staff's recommendation
11/05/09	The applicant must be available to make a presentation to the Authority's Board.

II. INTRODUCTION

The California High-Speed Rail Authority (Authority) is issuing this Request for Proposal (RFP) to engage a Statewide Public Information and Communication Program Contractor (Contractor/Team) in connection with the California High Speed Train System (HST).

III. BACKGROUND

Implementing a high-speed train network in California is the sole and exclusive responsibility of the nine-member California High-Speed Rail Authority (Authority) established by Chapter 796 of the Statutes of 1996 (SB 1420/Kopp and Costa). The Authority is responsible for preparing a plan, conducting environmental studies, design, construction and operation of a high-speed passenger train network in California.

The HST will provide for state-of-the-art, statewide, high performance passenger rail service comprising 800 route miles. The Authority has proposed high-speed train service between the major metropolitan centers of the San Francisco Bay Area, Sacramento in the north, through the Central Valley, to Los Angeles and San Diego in the south.

The broad implementation strategy of the Authority is to use a lean permanent staff with extensive use of outsourcing for both professional and project delivery services. A Program Management Consultant (PMC) has overall management responsibility and is charged with the development and execution of the implementation strategy (i.e. design and construction staging and packaging, commissioning and operations). The PMC is working with eight Environmental and Engineering Consultants with specific geographic corridor responsibility and a number of specialty consultants to accomplish the project objectives. Each of the eight Environmental and Engineering Consultants possess an outreach element to meet the state and federal environmental requirements as it relates to public involvement in the environmental review process.

The CONTRACTOR/TEAM will need to coordinate all communication efforts, through the Authority, with the outreach teams working as part of the Environmental and Engineering Consultants' teams developing the Authority's project-level environmental work. Outreach and the broad dissemination of accurate information is required within the state and federal environmental review processes. The Authority believes that a separate public information and communication team is needed to coordinate that outreach and public information, and additionally to ensure public awareness of all of the Authority's activities, help guarantee transparency, and facilitate the public's interaction with Authority Board and staff.

As proposed, California's high-speed train system will be the largest public infrastructure project ever constructed in this nation; it is essential that Californians are provided accurate, frequently updated, and easily accessible information about the project through every step of its development.

The Contractor/Team shall develop a work plan for approval by the Authority. The work plan shall include proposed overall methodology, plan, schedule, proposed components and personnel, and dollar budgets for the various components. This proposal must have defined milestones and deliverables that provide objective measures of performance.

FIGURE 1 STATEWIDE HST SYSTEM MAP



IV. SCOPE OF WORK

The objective of this work is to provide timely and relevant information about the Authority's activities, and to generate awareness and understanding of the actions of the Authority regarding the planning, building and operating of the statewide high-speed train for California.

The CONTRACTOR/TEAM shall develop a work plan for a Statewide Public Information and Communication Program for approval by the Authority. The work plan shall include proposed overall methodology, plan, schedule, proposed components and personnel, and dollar budgets for the various components. For purposes of this Request For Proposals, prospective CONTRACTOR/TEAM should draft such a work plan assuming that the estimated budget is \$1,500,000.00 annually (further details of proposal requirements contained in section IV below).

In the Work Plan for the Statewide Public Information and Communication Program, bidders should address, but are not limited to, the following elements:

- ✓ The Work Plan should demonstrate the effort required to bring to the attention of Californians the facts and issues pertaining to high-speed rail and outline the method of informing and educating them about the comparative costs and benefits of high-speed rail as part of the state's overall transportation plan.
- ✓ The Work Plan should address the types of materials (fact sheets, brochures, newsletters, videos, etc.) the Authority should develop, including the preparation of an annual Business Plan for distribution to the Administration, the Legislature and stakeholders.
- ✓ The Work Plan should include innovative alternatives of informing and educating the public on the high-speed train project.
- ✓ The Work Plan should include effective strategies for reaching the diverse audiences throughout California, outlining what systematic steps or programs could be employed to reach these audiences.
- ✓ The Work Plan should acknowledge the challenges of providing clear and consistent information about the project over a large geographic area as well as at the local level, including within small communities.
- ✓ The Work Plan must include identification of the Project Manager and key personnel. Include the geographical expertise demonstrated by the key personnel identified in the proposal for Northern, Central and Southern California representation.
- ✓ The Work Plan should demonstrate the process for identifying groups throughout the state who have an interest in the project.
- ✓ The Work Plan should include media monitoring and related daily media coverage reports.

V. DELIVERABLES

- A. The CONTRACTOR/TEAM shall produce the products and services necessary to meet the scope of work detailed above. Within thirty days of awarding the contract, the Authority and the CONTRACTOR/TEAM will agree upon specific deliverables and a timetable for their completion.
- B. The CONTRACTOR/TEAM shall provide formal progress reports to the Authority every 30 days, and frequent updates as are necessary. The formal progress reports will include major milestones, project schedules, and progress by task to date, description of the progress, including identification of problems, proposed solutions and revised completion dates if necessary. The progress report will also indicate the budget expended to date.
- C. The CONTRACTOR/TEAM shall participate in meetings with appropriate agencies, groups, and consultants involved in this and other studies undertaken by the Authority to facilitate timely coordination of effort, identify and address issues of concern, and share information. The CONTRACTOR/TEAM will make presentations to the Authority board and others as directed by the Authority's Executive Staff.
- D. All models, data, products, charts, and other documents, hardcopy and electronic, prepared or assembled by CONTRACTOR/TEAM in connection with the service under this agreement shall be the property of the Authority, and copies and documentation shall be delivered to AUTHORITY within 15 working days upon completion of work or upon early termination of this agreement.

The Statewide Public Information and Communication Program Work Plan may be altered or adjusted during the life of the contract to respond to changing needs and to reflect the various stages of project development.

VI. PROPOSAL REQUIREMENTS**A. Content**

Cover Letter – A brief (1-2 page) discussion committing the team and the nominated personnel to this project (including the project manager), stating the term of effectiveness of the offer, and highlights of why this team should be selected for the assignment.

Executive Summary – A (4-6 page) summary of the key points of the proposal. The proposer should convey a thorough understanding of the objectives for Public Outreach Program, the various components and how they evolve over the extended period of the project, and the work program required. The work program should be summarized at a high level and supporting references should be made to prior work experience of a similar nature. The proposer should highlight innovative and cost effective techniques used on other assignments and specific ideas envisioned for this assignment.

Project Understanding – A detailed discussion of the vision for the project and how the Statewide Public Information and Communication Program adds value and works toward the goal of achieving optimal efficiency for delivering this project to the public.

Organization and Management Plan - Describe the composition of the organization, how activities are assigned. Discuss how mobilization will be accomplished. Indicate specific personnel nominations on the chart for primary and technical support positions. Discuss how the organization and management plan evolves over the life of the project.

Staffing Plan (level of effort and timing of all positions) – Provide a detailed staffing plan showing all positions needed to accomplish the first work program and also the remaining years of the contract. Indicate the level of participation for each position by giving the hours budgeted over calendar time.

Resumes of all Proposed Personnel – Provide resumes for all positions identified in the project organization. Resumes should be keyed to the respective positions on the organization plan and presented in such a way as to particularly highlight the experience on projects or assignments of a similar nature. A summary chronology of employment history must be included in the resume. The resumes should be preceded with a content sheet showing the resumes and keying them to the organization chart.

References - Provide names, addresses, and telephone numbers for at least three clients for whom the prospective Contractor/Team had performed work similar to that proposed in this request. A summary statement for each assignment shall be provided. If applicable, provide names, address and telephone numbers of your last three (3) State contracts.

Subcontracts - If subcontractors are to be used submit a description of key personnel or firm and the work to be done by each subcontractor. The cost of the subcontract work is to be itemized in the cost proposal as described below.

Conflict of Interest - The prospective Contractor/Team shall disclose any financial, business, or other relationship with the California High-Speed Rail Authority, the High-Speed Rail Commission, the Business, Transportation and Housing Agency, or the California Transportation Commission that may have an impact upon the outcome of the contract. The prospective Contractor/Team shall also list current clients who may have a financial interest in the outcome of the contract. The selected Contractor/Team may be required to file a financial Disclosure Statement in accordance with the Authority's Conflict of Interest Code.

Nondiscrimination - The prospective Contractor/Team must certify compliance with nondiscrimination requirements of the State pertaining to the development, implementation and maintenance of a nondiscrimination program. The prospective Contractor/Team's signature affixed to and dated on the cover letter shall constitute a certification under penalty of perjury under the laws of the State of California that the propose has, unless exempted, complied with the nondiscrimination program requirements of Government Code Section 12990 and Title 2, California Code of Regulation, Section 8103.

B. Cost Proposal

In addition to a technical proposal, the prospective Contractor/Team shall prepare a detailed cost proposal for the work to be performed. The Cost Proposal shall detail personnel to be utilized, their respective billing rates, and the hours required to conduct the oversight, as well a cost breakdown by task. Additionally, the cost proposal shall itemize all other direct costs that will be charged to the Authority including travel charges that will be involved in providing the Public Outreach services and included in the bid amount. Any direct costs that will exceed \$2,000 will require prior approval from the contract manager.

Cost proposals shall follow the format provided in Attachment A, and shall be submitted with the technical proposal. The cost proposal will be rated and thereby included as part of the evaluation of the Technical Proposal and Oral Interview see Attachments C and D.

The breakdown of subcontract costs shall follow the same format provided in Attachment A.

C. Signature

Technical and cost proposal shall be transmitted with a cover letter that must be signed by an official authorized to bind the proposer contractually and shall contain a statement to the effect that the proposal is a firm offer for a 90-day period. The letter accompanying the technical proposal shall also provide the following: Name, title, address, and telephone number of individuals with the authority to negotiate and contractually bind the company.

This cover letter constitutes certification by the prospective Contractor/Team, under penalty of perjury, that the prospective Contractor/Team complies with nondiscrimination requirements of the State as specified above. An unsigned proposal or one signed by an individual not authorized to bind the proposer will be rejected.

D. Questions

A bidders conference will not be held. Questions regarding this Request for Proposals must be submitted in writing. Only those written questions received by 4:00PM on September 28, 2009 will be answered.

Written questions should include the individual's name, the name of the firm and address and must reference RFP No. HSR09-06. Questions should be sent to the following address:

Mailed to:

California High-Speed Rail Authority
Attention: Rosemary Mejia
925 L Street, Suite 1425
Sacramento, CA 95814
(916) 324-1541
(916) 322-0827 FAX
rmejia@hsr.ca.gov

Written responses to all questions will be posted on the Authority's website for the benefit of all participants.

VII. CONTRACTOR/TEAM SELECTION

A. Review Panel

A panel of five evaluators, including staff of the Authority and individuals from other state agencies and from outside of state government, a majority of whom will have experience and/or expertise in communications and/or outreach, will be assembled by the Authority.

B. Proposal Evaluation

Each panel member will individually evaluate the written proposals to determine if it meets the proposal requirements contained in Section VI above and will score those proposals based on pre-set list of criteria and point values assigned those criteria (consistent with the state's RFP process; see attachments). Failure to meet the requirements for the Request of Proposal will cause rejection of the proposal.

Only proposals that score 85 percent or above will be eligible to be invited to interview in person, though not all applicants whose proposals score at that level will necessarily be invited (if for volume reasons it is determined to invite fewer applicants, those receiving the top scores will receive invitations).

The Authority may reject any proposal if it is conditional, incomplete, or contains irregularities. The Authority may waive an immaterial deviation in a proposal. Waiver of an immaterial deviation shall in no way modify the Request for Proposal documents or excuse the proposer from full compliance with the contract requirements if the proposer is awarded the contract.

C. Interviews

All interviews will be held on a single day in front of the entire panel of evaluators. Interviews will be separately evaluated based on criteria shown on Attachment D, in addition to queries from the panel, whose members will use a pre-determined list of questions in an effort to provide a set of uniform criteria on which to score the applicants. Evaluators will collectively discuss the interviews of each presenter's and then each member will individually score each applicant's presentation.

D. Selection

For each applicant, the scores awarded by each of the panel members will be added together and averaged. In the event of a tie, the individual panel members' scores will be consulted for each of the tying applicants; the applicant receiving the majority of the high scores from the individual evaluators will be considered the highest-scoring applicant. The Executive

Director will report the results of the scoring process to the Authority's Board. It is expected that this report will occur at the Board's November 5, 2009, meeting.

E. Board Approval

The Authority's Board must approve the Authority entering into the contract. The Board has the ability to reject the highest-scoring applicant, in which case the RFP process must be restarted from advertisement in order to select a contractor/team.

The top-scoring applicant will be expected to make a presentation before the Board prior to Board approval.

The prospective Contractor/Team is advised that should this Request for Proposals result in award of a contract, the contract will not be in force until it is approved by the Department of General Services - Office of Legal Services and fully executed by the State.

VIII. CONTRACT PROVISIONS

A. Contract Provisions

Provisions that may be applicable upon execution of this contract:

1. Contractor/Team Name Change

An amendment is required to change the Contractor/Team's name as listed on this Agreement. Upon receipt of legal documentation of the name change, the State will process the amendment. Payment of invoices presented with a new name cannot be paid prior to approval of said amendment.

2. Recycling Certification

The Contractor/Team shall certify in writing under penalty of perjury, the minimum, if not the exact, percentage of recycled content, both post consumer waste and secondary waste as defined in the Public Contract Code, Sections 12161 and 12200, in material, goods, or supplies offered or products used in the performance of this Agreement, regardless of whether the product meets the required recycled product percentage as defined in Public Contract Code, Sections 12161 and 12200. Contractor/Team may certify that the product contains zero recycled content. (PCC 10233, 10308.5, 10354.)

3. Governing Law

This contract is governed by and shall be interpreted in accordance with the laws of the State of California.

4. Contractor/Team's Reports and/or Meetings

The Contractor/Team shall submit progress reports at least once a month to allow the Contract Manager to determine if the Contractor/Team is performing to expectations or is on schedule, to provide communication of interim findings and to afford occasions for

airing difficulties or special problems encountered so that remedies can be developed. The Contractor/Team shall meet with the Contract Manager as needed to discuss progress on the contract.

Prior to completion of the contract, the Contractor/Team shall hold a final meeting with the Contract Manager to present findings, conclusions and recommendations and shall submit a comprehensive final report on the project.

5. Period of Performance

This contract shall begin on *November 16, 2009*, contingent upon approval by the State, and terminate on *June 30, 2014*.

6. Allowable Costs and Payments

The method of payment for this contract will be based on billing rates. The State will reimburse the Contractor/Team at the current billing rates, the billing rates shall include direct labor costs, employee benefits, overhead and profit. All other direct costs will be reimbursed based on actual cost.

Transportation and subsistence costs shall not exceed rates authorized to be paid State employees under current State Department of Personnel Administration rules.

Progress payments will be made monthly in arrears based on services provided and actual costs incurred. The State will withhold 10% of each progress payment. The retention amount will be paid to the Contractor/Team after the State has evaluated the Contractor/Team's performance and made a determination that all contract requirements have been satisfactorily fulfilled.

The Contractor/Team shall not commence performance of work or services until this contract has been approved by the State. No payment will be made prior to approval nor for any work performed prior to approval of this contract.

The Contractor/Team will be reimbursed as promptly as fiscal procedures will permit upon receipt by the Contract Manager of itemized invoices in triplicate. Invoices shall reference this contract number and project title and shall be mailed to the Contract Manager at the following address:

California High-Speed Rail Authority
Attention *Rosemary Mejia*
925 L Street, Suite 1425
Sacramento, CA 95814

Invoices shall follow the format stipulated in the bid/cost proposal. The invoice shall breakout all payments to subcontractors identified in the contract during the invoice period. If none were made, the invoice shall state "No work was performed by subcontractors during this period".

7. Termination

The State reserves the right to terminate this contract upon thirty calendar (30) days written notice to the Contractor/Team.

8. Funding Requirements

It is mutually understood between the parties that this contract may have been written before ascertaining the availability of congressional or legislative appropriation of funds, for the mutual benefit of both parties in order to avoid program and fiscal delays that would occur if the contract were executed after that determination was made.

This contract is valid and enforceable only if sufficient funds are made available to the State by the United States Government or the California State Legislature for the purpose of this program. In addition, this contract is subject to any additional restrictions, limitations, conditions, or any statute enacted by the Congress or the State Legislature that may affect the provisions, terms or funding of this contract in any manner.

It is mutually agreed that if the Congress or the State Legislature does not appropriate sufficient funds for the program, this contract shall be amended to reflect any reduction in funds.

The State has the option to void the contract under the 30-day cancellation clause or to amend the contract to reflect any reduction of funds.

9. Change in Terms

This contract may be amended or modified only by mutual written agreement of the parties.

There shall be no change in the Project Manager or key members of the project team without prior written approval by the Contract Manager.

10. Nondiscrimination

During the performance of this contract, Contractor/Team and its subcontractors shall not unlawfully discriminate, harass or allow any harassment against any employee or applicant for employment because of sex, race, color, ancestry, religious creed, national origin, physical disability (including HIV and AIDS), mental disability, medical condition (cancer), age (over 40), marital status, and denial of family care leave. Contractor/Teams and subcontractors shall ensure that the evaluation and treatment of their employees and applicants for employment are free from such discrimination and harassment. Contractor/Team and subcontractors shall comply with the provisions of the Fair Employment and Housing Act (Government Code, Section 12900 et seq.) and the applicable regulations promulgated thereunder (California Code of Regulations, Title 2, Section 7285.0 et seq.). The applicable regulations of the Fair Employment and Housing Commission implementing Government Code, Section 12990 (a-f), set forth in Chapter 5 of Division 4 of Title 2 of the California Code of Regulations are incorporated into this contract by reference and made a part hereof as if set forth in full. Contractor/Team and

its subcontractors shall give written notice of their obligations under this clause to labor organizations with which they have a collective bargaining or other agreement.

Contractor/Team shall include the nondiscrimination and compliance provisions of this clause in all subcontracts to perform work under this contract.

11. MBE/WBE Participation (No Goals)

The State has established no goals for the participation of MBE/WBE for this contract (no federal funding is expected for this contract). However, California has a diverse mixture of cultures and interests; therefore, the proposer needs to be sensitive towards reaching and including these populations when developing their teams.

12. DVBE Participation (3%)

This contractor is subject to the participation goals for disabled veteran business enterprises (DVBE) as set forth in PCC Sections 10115, et seq. The participation goal is 3 percent for DVBE. Periodically updated DVBE resource information is available on the OSBCR internet home page: <http://www.dgs.ca.gov/osmb>. DVBE goals achieved are expressed as a total participation dollar amount claimed by a DVBE, and are identified on Form STD. 840 (Attachment F) attached to the Contractor's bid/cost proposal.

13. Maintenance of Records

The contracting parties shall be subject to the examination and audit of the State Auditor for a period of three (3) years after final payment under the contract in accordance with Government Code Section 8546.7. The examination and audit shall be confined to those matters connected with the performance of the contract, including, but not limited to, the costs of administering the contract.

14. Disputes

The parties shall deal in good faith and attempt to resolve potential disputes informally. If the dispute persists, Contractor/Team shall submit to the State's project manager a written demand for a final decision regarding the disposition of any dispute between the parties arising under, related to or involving this contract, unless the State, on its own initiative, has already rendered such a final decision.

Contractor/Team's written demand shall be fully supported by factual information, and if such demand involves a cost adjustment to the contract, Contractor/Team shall include with the written demand a written statement signed by a senior company official indicating that the demand is made in good faith, that the supporting data are accurate and complete, and that the amount requested accurately reflects the contract adjustment for which Contractor/Team believes the State is liable. The Project Manager will arrange for the assignment of a State official not having a direct role in the administration of this Agreement to hear and decide the dispute. The Contractor/Team may present documentary or other evidence and arguments in support of its position. The State's representative shall make a decision in writing within 30 days of the Contractor/Team's notice. Such decision shall be final and conclusive unless shown to be arbitrary,

capricious, or grossly erroneous. The decision may encompass facts, interpretations of the contract, and determinations or applications of law.

Pending final resolution of any dispute arising under, related to or involving this contract, Contractor/Team agrees to diligently proceed with the performance of this contract, including the delivery of goods or providing of services. Contractor/Team's failure to diligently proceed shall be considered a material breach of this contract.

15. Subcontracting

The Contractor/Team shall perform the work contemplated with resources available within its own organization and no portion of the work shall be contracted without written authorization by the State's Contract Manager, except that which is expressly identified in the Contractor/Team's cost/bid proposal. Any subcontract in excess of \$25,000, entered into as a result of this contract, shall contain all the provisions stipulated in this contract to be applicable to subcontractors. Any substitution of subcontractors must be approved in writing by the State's Contract Manager in advance of assigning work to a substitute subcontractor.

16. National Labor Relations Board Certification

In accordance with Public Contract Code Section 10296, the Contractor/Team hereby states under penalty of perjury that no more than one final unappealable finding of contempt of court by a Federal court has been issued against the Contractor/Team within the immediately preceding two-year period because of the Contractor/Team's failure to comply with an order of a Federal court that orders the Contractor/Team to comply with an order of the National Labor Relations Board.

17. Evaluation of Contractor/Team

The Contractor/Team's performance, as required by this contract, will be evaluated and if negative findings are made, will be reported to the Department of General Services Legal Office.

18. Drug-Free Workplace Certification

By signing this contract, the Contractor/Team hereby certifies under penalty of perjury under the laws of the State of California that the Contractor/Team will comply with the requirements of the Drug-Free Workplace Act of 1990 (Government Code section 8350 et seq.) and will provide a drug-free workplace by doing all of the following:

- A. Publish a statement notifying employees that unlawful manufacture, distribution, dispensation, possession, or use of a controlled substance is prohibited and specifying actions to be taken against employees for violations, as required by Government Code Section 8355(a)
- B. Establish a Drug-Free Awareness Program as required by Government Code Section 8355(b), to inform employees about all of the following:
 - the dangers of drug abuse in the workplace,

- the person's or organization's policy of maintaining a drug-free workplace,
- any available counseling, rehabilitation and employee assistance programs, and
- penalties that may be imposed upon employees for drug abuse violations.

C. Provide as required by Government Code Section 8355(c) that every employee who works on the proposed contract or grant:

- will receive a copy of the company's drug-free policy statement and
- will agree to abide by the terms of the company's statement as a condition of employment on the contract or grant.

Failure to comply with these requirements may result in suspension of payments under the contract or termination of the contract or both and the Contractor/Team may be ineligible for award of any future state contracts if the department determines that any of the following has occurred: 1) the contract has made a false certification or, 2) violates the certification by failing to carry out the requirements as noted above.

19. Conflict of Interest

The following laws apply to entities doing business with the State of California:

A. Current State Employees (PCC 10410):

- No officer or employee shall engage in any employment, activity or enterprise from which the officer or employee receives compensation or has a financial interest and which is sponsored or funded by any state agency, unless the employment, activity or enterprise is required as a condition of regular state employment.
- No officer or employee shall contract on his or her own behalf as an independent Contractor/Team with any state agency to provide goods or services.

If Contractor/Team violates any provision of above paragraphs, such action by Contractor/Team shall render this Agreement void (PCC 10420).

Members of boards or commissions are exempt from this section if they do not receive payment other than payment of each meeting of the board or commission, payment for preparatory time and payment for per diem (PCC 10430(e)).

B. Former State Employees (GC 87406)

1. Government Code 87406 (d)(1) prohibits a former State officer or employee from entering into a contact with any State agency if,

- He or she was a designated employee by the same State agency in a position in the same subject area(s) as the proposed contract within the 12 month period prior to his or her separation.
- 2. Representation includes any formal or informal appearance, or oral or written communications to the Authority or to any of its officers or employees. This would include participation at presentations or interviews, attendance at scoping meetings, participation in negotiations and direct involvement in cost proposal and audit activities. See Government Code section 87406 subparagraph(d) subpart(1).
- 3. The categories of former Authority employees to whom the prohibition applies are any one or more of the following:
 - A “Designated Employee” as defined in the Government Code Section 82019, to include any officer or employee whose position with the Authority:
 - i. Was exempt for the State Civil Service System.
 - ii. Involved the employee in the functions of:
 - Negotiating or signing any competitive awarded contract
 - Decision making in conjunction with the competitive award process
 - Decision making on Emergency Force Account contracts awarded under Public Contract Code Sections 10122.
- 4. Former Authority employees, included former retired annuitants, proposed in the submittal who meet the criteria above will not be allowed to participate as a proposed team member for this contract.
- 5. Violation by consultant(s) of any provisions found in the paragraphs above, shall render every contract or other transaction entered into void unless the violation is technical and non-substantive.

Information regarding conflict of interest as stated in above reference Government Codes may be viewed by visiting the web site: <http://www.leginfo.ca.gov/calaw.html>.

20. Labor Code / Workers Compensation

Contractor/Team needs to be aware of provisions that require every employer to be insured against liability for workers' compensation or to undertake self insurance in accordance with the provisions and Contractor/Team affirms to comply with such provisions before commencing the performance of the work of this Agreement (Labor Code Section 3700)

21. Force Majeure

Except for defaults of subcontractors, neither party shall be responsible for delays or failures in performance resulting from acts beyond the control of the offending party.

Such acts shall include but shall not be limited to acts of God, fire, flood, earthquake, other natural disasters, nuclear accident, strike, lockout, riot, freight embargo, public regulating utility or governmental statutes or regulations superimposed after the fact. If a delay or failure to perform by the Contractor/Team arises out of a default of its subcontractor, and if such default arises out of causes beyond the control of both the Contractor/Team and subcontractor, and without the fault or negligence of either of them, the Contractor/Team shall not be liable for damages of such delay or failure, unless the supplies or services to be furnished by the subcontractor were obtainable from other sources in sufficient time to permit the Contractor/Team to meet the required performance schedule.

22. Taxes

The State of California is exempt from federal excise taxes and no payment shall be made for any personal property taxes levied on the Contractor/Team or on any taxes levied on employee wages. The State will only pay for any state or local sales or use taxes on the services rendered to State pursuant to the contract.

23. Time Limits

The Contractor/Team shall start work on *November 16, 2009*, contingent upon approval of the contract by the State and notification to proceed by the Contract Manager. All aspects of the work provided for in the contract will be completed by *June 30, 2014*.

24. Contract Administration

The Contract Manager for this contract is:

Rosemary Mejia
California High-Speed Rail Authority
925 L Street, Suite 1425
Sacramento, CA 95814
Phone: (916) 324-1541

IX. GENERAL INFORMATION

A. Proposal Submittal

Responses to this Request for Proposals shall be submitted with 6 copies of the Technical Proposal and Cost Proposal. Proposals must be submitted by no later than 4:00 PM, August 12, 2009, addressed as follows:

MAILED TO:

California High-Speed Rail Authority
Attention: Rosemary Mejia
925 L Street, Suite 1404
Sacramento, CA 95814

HAND-DELIVERED TO:

California High-Speed Rail Authority
Attention: Rosemary Mejia
925 L Street, Suite 1404
Sacramento, CA 95814

The following information must be placed on the lower left corner of the submittal shipping package:

RFP # HSR09-06

California High-Speed Rail Authority

Statewide Public Information and Communication Outreach Program

Firm: _____

B. Late Submittals

A proposal is late if received at any time after *4:00 PM on October 13, 2009*. Proposals received after the specified time will not be considered and will be returned to the proposer.

C. Modification or Withdrawal of Proposals

Any proposal received may be withdrawn or modified prior to the proposal submittal date by written request to the Authority by the prime consultant.

D. Schedule

The anticipated schedule of activities related to this Request for Proposals is as follows:

Key RFP Dates:

09/21/09	Final RFP advertised and released on the State Contract Register and issued to prospective respondents.
09/28/09	Written Question Submittal Deadline
10/13/09	Proposals due to Authority office by 4:00 PM
10/22/09	Oral interview in Sacramento, CA
10/28/09	Participants notified of the results of the selection process
11/05/09	The Authority's Board will review staff's recommendation
11/05/09	The applicant must be available to make a presentation to the Authority's Board.

E. Property Rights

Proposals received within the prescribed deadline become the property of the State and all rights to the contents therein become those of the State. All material developed and produced for the Authority under this contract shall belong exclusively to the Authority. If the Contractor/Team should lose its ability to service the Contract with the Authority, the Authority shall retain the right to use said materials without further compensation to the Contractor.

F. Debriefings

Written or oral proposal evaluation debriefings will not be given to unsuccessful proposers. However, all proposals and all evaluation and scoring sheets that are retained as a permanent State record shall be made available for public inspection.

G. Confidentiality

Prior to award of the contract, all proposals will be designated confidential. After award of the contract all proposals will become public record. Contracts are considered awarded after they are fully executed by both parties and approved by the Department of General Services. Any language purporting to render all or portions of the proposals confidential will be regarded as non effective and will be disregarded.

H. Amendments to Request for Proposals

The Authority reserves the right to amend the RFP Notice by addendum prior to the final date of proposal submission.

I. Non-Commitment of State

This RFP does not commit the Authority to award a contract, to pay any costs incurred in the preparation of a proposal to this request, or to procure or contract for services or supplies. The State reserves the right to accept or reject any or all proposals received as a result of this request, to negotiate with any qualified firm, or to modify or cancel in part or in its entirety the Request for Proposals if it is in the best interests of the Authority to do so.

J. Public Domain

All products used or developed in the execution of any contract resulting from this request will remain in the public domain at the completion of the contract.

K. Inquiries

Inquiries concerning this Request for Proposals should be directed to:

Rosemary Mejia
Deputy Director
(916) 324-1541
rmejia@hsr.ca.gov

L. Small Business Preference

NOTICE TO ALL PROPOSERS: Section 14835, et seq. of the California Government Code requires that a five percent preference be given to proposers who qualify as a small business. The rules and regulations of this law, including the definition of a small business for the delivery of services, are contained in Title 2, California Administrative Code, Section 1896, et seq. A copy of the regulations is available upon request. To claim the small business preference, which may not exceed \$50,000 for any bid, your firm must have its principal place of business located in California and be verified by the State Office of Small and Minority Business. Questions regarding the preference approval should be directed to that office at (916) 322-7122.

Any proposer who wishes to claim the small business preference must complete the Small Business Preference Request, Form ADM 0384 included with this Request for Proposals as Attachment E and provide a copy of the OSMB certification approval letter to be eligible for such preference. The form and the copy of the certification approval letter must be included with the Cost Proposal.

Small business bidders shall be granted a preference consisting of five percent of the price component of the highest scored proposal submitted by another bidder who is not certified as a small business.

ATTACHMENT A
COST PROPOSAL FORMAT

PART I:

TOTAL LABOR COSTS FOR THE PROJECT:

<u>EMPLOYEE CLASSIFICATION</u>	<u>PROJECTED HOURS</u>	x	<u>BILLING RATE</u>	=	<u>TOTAL</u>
	_____		_____		_____
	_____		_____		_____
	_____		_____		_____
Subtotal	_____		_____		_____

TOTAL OTHER DIRECT COSTS FOR THE PROJECT:

Itemize the anticipated quantities and costs.

Subtotal

TOTAL COST:

PART II:

LABOR COSTS BY TASK:

<u>EMPLOYEE CLASSIFICATION</u>	<u>PROJECTED HOURS</u>	x	<u>BILLING RATE</u>	=	<u>TOTAL</u>
	_____		_____		_____
	_____		_____		_____
	_____		_____		_____
Subtotal	_____		_____		_____

OTHER DIRECT COSTS BY TASK:

Itemize the anticipated quantities and costs.

Subtotal

TOTAL COST:

ATTACHMENT B
CRITERIA FOR EVALUATION OF COST PROPOSALS

Cost Proposal and Budget Justification - (30 points for Technical/30 points for +carryover for Oral)

A score of up to 30 points may be earned based on the extent that the proposer's cost proposal and budget justification narrative is reasonable, consistent with the Project Work Plan and appropriately balances the commission, the per hour "fully loaded" fee charged, value of services offered, and pro bono services.

Reviewers will consider the following:

1. Extent to which the allocations of cost for each of the required work plan components is appropriately spread in the budget and is adequately justified in the budget narrative.

Weight: 0.40

2. The extent to which costs are reasonable and appropriate for the proposed scope of services and the value of the skills offered.

Weight: 0.30

3. Extent to which the per hour "fully loaded" fees charged are appropriate and reflective of industry standards.

Weight: 0.30

CRITERIA FOR AWARDING POINTS FOR THE TECHNICAL PROPOSALS AND ORAL INTERVIEWS:

For each category, points will be awarded based upon the following scale:

1. Exceeds requirements	=	100% of points
2. Meets requirements	=	85% of points
3. Slightly deficient	=	60% of points
4. Deficient	=	40% of points
5. Very deficient	=	20% of points

ATTACHMENT C**CRITERIA FOR EVALUATION OF TECHNICAL PROPOSALS¹**

To qualify for an Oral Evaluation with the selection committee, the proposer must achieve a score of 85% or more.

	<u>Maximum Score</u>	<u>Actual Score</u>
1. GRASP OF PROJECT REQUIREMENTS	20	
Has the proposer demonstrated a thorough knowledge of the project in its current state of development and what steps are required to educate and inform the public.		
2. ORGANIZATION AND MANAGEMENT PLAN	15	
Does the proposed project organization present a clear and logical framework. Is the management approach complementary and responsive to the RFP requirements? Are all needed positions and areas of expertise covered? If proposer is a multi-firm team, are the firms well integrated; do they have prior experience working together? Does the staffing plan convey the proper level of response for the work at hand? Does it demonstrate a high level of commitment and resource availability?		
3. KEY PERSONNEL AND ROLES	10	
Are the personal qualifications and professional skills of the project manager, senior professionals and key discipline nominees appropriate for the roles assigned? Does the project manager have sufficient authority within his organization to effectively lead and manage the project?		
4. CONTRACTOR'S APPROACH TO THE PROGRAM	25	
Is there a logical course of action to meet objectives? Did the proposer demonstrate a creative and innovative approach to meet the program objectives. Does the proposal illustrate sensitivity to federal, state, regional, local and general public issues.		
4. COST (See Attachment B for cost criteria calculation)	30	
	Total	100

¹See Attachment B for detailed criteria for the award of points.

ATTACHMENT D

CRITERIA FOR EVALUATION OF ORAL INTERVIEWS¹

	<u>Maximum Score</u>	<u>Actual Score</u>
1. Technical Proposal (carry over)²	20	
2. PRESENTATION AND TEAM COORDINATION Quality and appropriateness of the presentation; team structure; logic of the chosen speakers relative to project challenges; project manager control over the team	15	
3. PROJECT MANAGER and TEAM PARTICIPATION Quality of presentation and responsiveness to questions; understanding of the public information and communication challenges and requirements. Do members of the team work well together and give credibility to having worked together on similar projects? Does the team project cohesiveness in the way individuals relate to each other? perceived level of involvement with proposal structure, content and presentation plan	15	
4. COMPREHENSIVE VISION Does the team demonstrate a clear vision of the public information and communication program? Is there an understanding of the complexity of the stakeholders over a large geographical? Does their presentation and plan convey a sensitivity to state, regional and local issues?	15	
5. UNDERSTANDING OF PROJECT Does the team convey an understanding of the critical project success factors? Are they able to provide evidence of prior project experience with challenges of this magnitude and complexity?	05	
6. COST (See Attachment B for cost criteria calculation)	30	_____
Total	100	_____

¹See Attachment B for detailed criteria for the award of points.²Technical Proposal carry over is calculated as follows:

(Total score on Technical Proposal/100) x 20 possible points = Carry Over Points

ATTACHMENT E

SMALL BUSINESS PREFERENCE FORM
(Leave blank, if not applicable)

I wish to claim Small Business preference. I am registered with the State of California, Department of General Services, Office of Small and Minority Business.

Small business certification **letter** provided by State of California, Department of General Services, Office of Small and Minority Business **is attached**.

Small Business Number (not stamp number)

Signature

Title

Date

ATTACHMENT F

Disabled Veterans Business Enterprise (DVBE)
Standard Form 840

STATE OF CALIFORNIA – GENERAL SERVICES PROCUREMENT DIVISION

**DOCUMENTATION OF DISABLED VETERAN BUSINESS ENTERPRISE PROGRAM
REQUIREMENTS**

FD. 840 (REV. 4-1-2003)

Designation Of Option Check the appropriate box(es) to indicate the option(s) with which you choose to comply, complete the applicable sections and attach the required supporting documentation. You are advised to read all instructions carefully prior to completing this form. Remember that only California certified DVBEs who can provide related goods and/or services may be used to satisfy these program solicitation requirements.

OPTION A – I commit to meeting the full DVBE Agreement participation requirement. Complete STD. 840, Section A.

OPTION B – I performed and documented a Good Faith Effort (GFE) in an attempt to obtain DVBE participation. Complete STD. 840, Section A (for GFE Steps 4 & 5) and STD. 840 (REVERSE), Section B (for GFE Steps 1–3).

OPTION C – I submit a copy of my firm's "Notice of Approved DVBE Business Utilization Plan."

A. Full information must be provided.

For Agreement participation commitment, at least one DVBE must be listed. DVBEs must perform a commercially useful function. List the specific goods and/or services with the dollar and/or percentage value(s) that the DVBE(s) commit(s) to provide and the DVBE's tier (prime contractor = 0, subcontractor to prime contractor = 1, subcontractor to Tier 1 subcontractor = 2, etc.). If both the estimated dollar amount and percentage are listed, the higher value supercedes. Attach additional pages to list all other DVBE subcontractors/suppliers (you may use STD. 840A). During contract performance, all requests for substituting named DVBEs must be made in accordance with the provisions of California Code of Regulations, Title 2, Section 1896.64(c).

For Good Faith Effort (GFE), use this section to document your first completed contacts with (Step 4), and consideration of (Step 5), relevant DVBEs. Business reasons for non-selection must be documented. Attach additional pages to list all other DVBE contacts (you may use STD. 840A). Copies of all written invitations and delivery confirmations must also be attached and submitted with the bid/proposal.

BOTH SECTIONS MUST BE COMPLETED FOR GOOD FAITH EFFORT	Date Contacted / /	DVBE Company Name (If you are the Prime and a DVBE enter your name, otherwise enter the solicited subcontractor.)		
	DVBE Contact Name & Reference #		Telephone Number () - ext.	Fax Number () -
	Street Address, City, State, and Zip Code			
	OR	<input type="checkbox"/> Yes, I am, or I will subcontract with, the listed DVBE to provide the following goods and/or services:		
		Specific Goods and/or Services	Estimated \$ and/or %	Tier
	OR	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reasons:		
BOTH SECTIONS MUST BE COMPLETED FOR GOOD FAITH EFFORT	Date Contacted / /	DVBE Company Name		
	DVBE Contact Name & Reference #		Telephone Number () - ext.	Fax Number () -
	Street Address, City, State, and Zip Code			
	OR	<input type="checkbox"/> Yes, I am, or I will subcontract with, the listed DVBE to provide the following goods and/or services:		
		Specific Goods and/or Services	Estimated \$ and/or %	Tier
	OR	<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reasons:		

ATTACH ADDITIONAL PAGES (OR USE STD. 840A) TO LIST ALL OTHER DVBE CONTACTS

Go to Page 2, Section B to continue Good Faith Effort documentation ⇒

STATE OF CALIFORNIA – GENERAL SERVICES PROCUREMENT DIVISION

ADDITIONAL DISABLED VETERAN BUSINESS ENTERPRISE CONTACTS

STD. 840A (EST. 4-1-2003)

1 Documentation of Good Faith Effort Steps 1, 2, and 3—Remember to carefully read all instructions prior to completing this form. Please refer to the Resources & Information page for detailed contact information and a sample advertisement format.

STEP 1. Contact the Awarding Department (the contracting official, unless another contact is specified) to identify potential DVBE subcontractors/suppliers, and document this contact **(optional)**.

Date Contacted / /	Contact Name	Telephone Number () - ext.
-----------------------	--------------	--------------------------------

Describe Result

STEP 2. Contact all of the following and document your contacts as required: Other state and federal agencies and local organizations to identify potential DVBE subcontractors/suppliers. **Attach screen print(s) of Web Results for verification.**

Other State Agency – Procurement Division, Office of Small Business and DVBE Certification (Certification Office)

PHONE CONTACT OR ONLINE SEARCH	Date / /	Telephone Number (916) 322-5060 (916) 375-4940	Contact Name	<input type="checkbox"/> I contacted the Certification Office for a list of California certified DVBEs.
	Date / /	Internet Address http://www.pd.dgs.ca.gov/smbus		<input type="checkbox"/> I searched the Certification Office's online database to identify California certified DVBEs.

Describe Result

Federal Agency – U.S. Small Business Administration (SBA) online database

Date / /	Internet Address http://www.ccr.gov/	<input type="checkbox"/> I searched the federal online database for California DVBEs.
-------------	---	---

Describe Result

Local DVBE Organizations – Contact at least one local DVBE organization – refer to the DVBE Resource Packet for a list of acceptable contacts. (<http://www.pd.dgs.ca.gov/smbus> – select “DVBE Resource Packet”)

Date / /	Organization Name	Contact Name	Telephone Number and/or Internet Address () - http://www.
-------------	-------------------	--------------	---

Describe Result

Date / /	Organization Name	Contact Name	Telephone Number and/or Internet Address () - http://www.
-------------	-------------------	--------------	---

Describe Result

STEP 3. Publish advertisements: At least two (2) advertisements: One (1) ad in an accepted trade paper; and one (1) ad in an accepted DVBE focus paper (please see the DVBE Resource Packet for a list of all accepted publications); unless the paper is dual purpose (fulfilling both trade and focus requirements), in which case one (1) ad is acceptable. **Document this step as required and remember to attach a copy of your advertisement(s).**

Focus Paper Name (list full name)	Contact Name	Telephone Number () -
Address		Date Ad Published / /
Trade and Focus Paper Name (list full name)	Contact Name	Telephone Number () -
Address		Date Ad Published / /

I certify the ad was placed to reach both trade and focus audiences through this one publication.

Trade and Focus Paper Name (list full name)	Contact Name	Telephone Number () -
Address		Date Ad Published / /

STATE OF CALIFORNIA - GENERAL SERVICES PROCUREMENT DIVISION

ADDITIONAL DISABLED VETERAN BUSINESS ENTERPRISE CONTACTS

STD. 840A (EST. 4-1-2003)

This document may be used as a continuation from Section A, STD. 840 (REV. 4-1-2003)

Date Contacted / /	DVBE Company Name		
DVBE Contact Name & Reference #		Telephone Number () - ext.	Fax Number () -
Street Address, City, State, and Zip Code			

OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:			
	Specific Goods and/or Services		Estimated \$ and/or % \$ %	Tier
<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reasons:				

Date Contacted / /	DVBE Company Name		
DVBE Contact Name & Reference #		Telephone Number () - ext.	Fax Number () -
Street Address, City, State, and Zip Code			

OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:			
	Specific Goods and/or Services		Estimated \$ and/or % \$ %	Tier
<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reasons:				

Date Contacted / /	DVBE Company Name		
DVBE Contact Name & Reference #		Telephone Number () - ext.	Fax Number () -
Street Address, City, State, and Zip Code			

OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:			
	Specific Goods and/or Services		Estimated \$ and/or % \$ %	Tier
<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reasons:				

Date Contacted / /	DVBE Company Name		
DVBE Contact Name & Reference #		Telephone Number () - ext.	Fax Number () -
Street Address, City, State, and Zip Code			

OR	<input type="checkbox"/> Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:			
	Specific Goods and/or Services		Estimated \$ and/or % \$ %	Tier
<input type="checkbox"/> No, I am unable to subcontract with the DVBE for the following business reasons:				

STATE OF CALIFORNIA – GENERAL SERVICES PROCUREMENT DIVISION

ADDITIONAL DISABLED VETERAN BUSINESS ENTERPRISE CONTACTS

STD. 840A (EST. 4-1-2003)

This document may be used as a continuation from Section A, STD. 840 (REV. 4-1-2003)

Date Contacted / /	DVBE Company Name
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DVBE Contact Name & Reference #	Telephone Number () - ext.	Fax Number () -	E-mail (if available)
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Street Address, City, State, and Zip Code

 Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:

Specific Goods and/or Services	Estimated \$ and/or %	Tier
\$	%	

 No, I am unable to subcontract with the DVBE for the following business reasons:

Date Contacted / /	DVBE Company Name
-----------------------	-------------------

DVBE Contact Name & Reference #	Telephone Number () - ext.	Fax Number () -	E-mail (if available)
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DVBE Contact Name & Reference #	Telephone Number () - ext.	Fax Number () -	E-mail (if available)
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Street Address, City, State, and Zip Code

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Date Contacted / /	DVBE Company Name
-----------------------	-------------------

DVBE Contact Name & Reference #	Telephone Number () - ext.	Fax Number () -	E-mail (if available)
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Street Address, City, State, and Zip Code

 Yes, I will subcontract with the listed DVBE to provide the following goods and/or services:

Specific Goods and/or Services	Estimated \$ and/or %	Tier
\$	%	

 No, I am unable to subcontract with the DVBE for the following business reasons:

DVBE Program Requirements Supplier Checklist (Rev. 4-1-2003)

Please do not submit this checklist with your bid. It is provided for your use only. Checking every box of your elected compliance option does not guarantee that your bid will be evaluated compliant.

 OPTION A: COMMITMENT TO DVBE AGREEMENT PARTICIPATION

- STD. 840 included with bid
- DVBE Written Agreement(s)
- Designated the Commitment Option – Checked the first box
- Listed at least one California certified DVBE subcontractor
- Checked the box(es) for "Yes..."
- Listed specific goods and/or services DVBE(s) agrees to provide
- Proposed DVBE Agreement performance is a "commercially useful function" relevant to the Agreement
- Listed the estimated dollar amount and/or percentage of Agreement for the DVBE's participation
- Proposed DVBE participation meets the 3% requirement (unless a different percentage is specified)
- Attached a copy of the DVBE's certification letter from the Department of General Services

 OPTION B: GOOD FAITH EFFORT (GFE)

- STD. 840 included with bid
- Designated the GFE Option – checked the second box
- (Step 4) Listed all DVBEs contacted and invited to perform on the proposed Agreement
- Confirmed that listed DVBEs are California certified and verified certification expiration date
- Attached copies of the invitations sent to the listed DVBEs
- Invitations included the required contact information
- Attached copies of the delivery confirmations for invitations to DVBEs (e.g. mail receipts, fax confirmations, etc.)
- (Step 5) Checked the "No" boxes and listed the business reasons for non-selection of DVBEs contacted
- (Step 1) Contacted the Awarding Department and listed contact and results
- (Step 2) Contacted Other State agency (Office of Small Business and DVBE Certification) and listed the contact and results
- (Step 2) Searched the Federal U.S. Small Business Administration (SBA) using the Central Contractor Registration (CCR) on-line database and noted the results
- (Step 2) Contacted Local DVBE Organization(s) and listed the contact and results
- (Step 3) Advertised – IF NOT WAIVED
 - Listed full information for the advertisement(s) and publication(s)
 - At least 2 ads in one trade and in one DVBE focus publication; **OR** 1 ad in one dual-purpose publication
 - Attached a copy of the advertisement(s) and affidavit(s) of publication
 - The advertisement(s) were published at least 14 days prior to the bid date
 - The advertisement(s) included my required contact information

 OPTION C: BUSINESS UTILIZATION PLAN (BUP)

- Prior to the bid due date – Submitted a BUP to DGS-PD and received approval
- STD. 840 included with bid
- Designated the BUP Option – Checked the third box
- Attached a copy of the BUP Approval letter from DGS-PD

Question 1

The RFP states that the estimated annual amount of the contract is \$1.5 million, which would be \$7.5 million for the term of five years. Should we assume a 47.5 million budget, rather than \$9 million?

Answer 1

You should NOT assume a \$47.5 million budget. The assumption should be for a maximum of \$9 million over the life of the contract, which will run no longer than June 30, 2014.

Question 2

Our firm is a publicly traded company, so if we were awarded the contract we would want to be sure the contract could be executed quickly on our end. Could we obtain a copy of the California High-Speed Rail Authority's standard contract for professional services for review to ensure that we can expedite the contracting process?

Answer 2

There is no "standard contract for professional services" used by the Authority. Our procurement process is governed by state rules and run through the state Department of General Services (DGS); DGS is the appropriate agency to query regarding the average time required to execute a contract of this nature.

Question 3

With respect to the criteria for evaluation of cost proposals, can you provide clarification on pro-bono services?

Answer 3

"Pro bono" services refer to services the contractor agrees to provide in the public interest without associating a fee or charge for them.

Question 4

We didn't see crisis communications in the RFP, how is the authority planning to manage potential crises?

Answer 4

Crisis communications is an element of this contract. The Authority that element is addressed within these sections of the RFP:

"The Work Plan should demonstrate the effort required to bring to the attention of Californians the facts and issues pertaining to high-speed rail..."

"The Work Plan should acknowledge the challenges of providing clear and consistent information about the project over a large geographic area as well as at the local level, including within small communities."

Question 5

We would like to review the identification of the Environmental Consulting and Engineering firms currently working with the High-Speed Rail Authority.

Answer 5

The firms currently working on the project in regional management positions are STV, AECOM, Parsons, HNTB, and joint ventures between URS/HMM/Arup and HMM/URS/Arup.

Question 6

We would like to review the previous high scoring proposals that were submitted for communications to the High-Speed Rail Authority.

Answer 6

Since the previous RFP did not produce a contract, the proposals and final scoring are not available for public viewing.

Question 7

What is the overall objective of the program? For example, is it to address or mitigate concerns that arise during construction, to raise public awareness of the project, to increase support for the project, or something else?

Answer 7

All of the above. The objective of the program is to ensure that, as broadly as possible, Californians are educated about the proposed high-speed train program.

Question 8

How will the success of this campaign be measured?

Answer 8

Deliverables and means of measuring the success of the contract will be a matter for the Authority and the winning applicant to determine. However, among the considerations will be public support, effectiveness of outreach efforts, stakeholder participation in various Authority-sponsored events, and media penetration.

Question 9

Has the Authority defined objectives of the program's success?

Answer 9

It has. Deliverables and means of measuring the success of the contract will be a matter for the Authority and the winning applicant to determine. However, among the considerations will be public support, effectiveness of outreach efforts, stakeholder participation in various Authority-sponsored events, and media penetration.

Question 10

Who will evaluate and determine the success of the program, and at what interval(s)? Please identify these organizations, including the Authority and others.

Answer 10

The Authority and its Board will be determiners of whether the communication and outreach contract is successful.

Question 11

What communication channels are already in place so that the contractor/team can "coordinate all communication efforts" with the Board? Specifically, what technology solutions are there that may lessen the need for travel and the generating of greenhouse gases?

Answer 11

The Authority currently uses telephone, fax, and email to communicate with Board members and outreach team members. Additional solutions would be at the advice / discretion of the winning contractor.

Question 12

Given the requirement for "defined milestones and deliverables", what kinds/types of items has the board conceived of and/or previously suggested?

Answer 12

Deliverables and means of measuring the success of the contract will be a matter for the Authority and the winning applicant to determine. However, among the considerations will be public support, effectiveness of outreach efforts, stakeholder participation in various Authority-sponsored events, and media penetration.

Question 13

Relative to the planned progress of the build of the high speed railway and given that this is a 5 year project, what is the estimate of the amount of information and/or updates that will need to be conveyed to the public over this initial period of time?

Answer 13

It is impossible to say. The nature of this project is such that its situation / public information needs will change frequently. This contract is to cover outreach and communication needs as needed within this variable environment.

Question 14

Please provide a list of the internal and/or government groups or individuals that materials would need to be prepared for in addition to the public promotional efforts.

Answer 14

This is a variable that will depend upon the changing needs of the project at any given time. These groups would include:

- Authority staff
- Authority Board members
- Legislators
- Members of Congress
- Stakeholders
- Local governments
- Regional transportation agencies

Question 15

What are examples of communication and education efforts either by other CA agencies or agencies in other states would be considered similar in size and scope to this project.

Answer 15

Built out to its entirety, this project would be the largest public infrastructure project in our nation's history. There is no project of similar size and scope in this country that we are aware of.

Question 16

Is it the intention that the projected budget includes the media buy?

Answer 16

This is a variable that will depend upon the changing needs of the project at any given time and it is up to the prospective contractor to estimate for that potential need and advise the Authority as to the need for media buys.

Question 17

The RFP states: "the estimated annual amount is \$1,500,000.00 with the total amount of the contract not to exceed \$9,000,000.00 for the term of five years." If the contract only budgets \$1.5 million for each year of the five-year campaign, then the total cost will be \$7.5 million. What is the

intended use for the additional allocated funds? Is more funding available for the first year of the contract for campaign materials and start-up costs?

Answer 17

Proposals should assume a maximum budget of \$9 million over the life of the contract.

Question 18

The RFP states: "Outreach and the broad dissemination of accurate information is required within the state and federal environmental review process." What are the state and federal requirements as they relate to *public involvement* in the environmental review process?

Answer 18

A rundown on the state CEQA process can be found here: <http://ceres.ca.gov/ceqa/>; and a similar description of the federal NEPA process can be found here:

<http://www.epa.gov/oecaerth/basics/nepa.html>.

Question 19

How does the contractor for the Statewide Public Information and Communication campaign (CONTRACTOR/TEAM) interact with the leadership of the Authority? What focus areas will be covered by other outside consultants and what will be covered by in-house staff at the Authority?

Answer 19

The Contractor/Team will report directly to the Authority's Deputy Director for Communications, Policy and Public Outreach, and will additionally take direction from the Authority's Executive Director. As far as the exact division of duties between Authority staff and Contractor/Team, that will be a variable depending upon the Work Plan agreed upon by Contractor/Team and Authority and upon the evolving needs of the Authority.

Question 20

How will the CONTRACTOR/TEAM interact with the Environmental and Engineering Consultants on outreach strategies to meet the state and federal environmental outreach requirements? The RFP indicates that the outreach teams within the Environmental and Engineering Consultants' teams will work "with" the CONTRACTOR/TEAM, but can this be more clearly defined? Does the CONTRACTOR/TEAM supervise or coordinate the outreach efforts of the Environmental and Engineering Consultants?

Answer 20

Environmental and Engineering Consultants are responsible for the outreach required within the state and federal environmental processes. Contractor/Team would coordinate and supervise those efforts to ensure they are met and also that they dovetail with the Authority's statewide public information and outreach program.

Question 21

What is the CONTRACTOR/TEAM's relationship with the Project Management Consultant (PMC) who oversees implementation strategy and "is working with" the Environmental and Engineering Consultants?

Answer 21

Contractor/Team will report directly to the Authority's Deputy Director for Communications, Policy and Public Outreach, and will additionally take direction from the Authority's Executive Director. Program Management Consultant reports directly to the Authority's Executive Director.

Question 22

What is the relationship between the Authority's staff communications team (or other communications contractors) and the CONTRACTOR/TEAM (i.e. will the groups collaborate on shared resources such as the Authority's website)?

Answer 22

The Contractor/Team will report directly to the Authority's Deputy Director for Communications, Policy and Public Outreach, and will additionally take direction from the Authority's Executive Director. The Authority currently has a total state staff of nine people. As far as the exact division of duties between Authority staff and Contractor/Team, that will be a variable depending upon the Work Plan agreed upon by Contractor/Team and Authority and upon the evolving needs of the Authority.

Question 23

How regularly will the CONTRACTOR/TEAM meet with the Authority Board and/or Staff to receive updates on its strategic plan, environmental studies and overall California High Speed Train (HST) progress?

Answer 23

A minimum of weekly.

Question 24

Will the CONTRACTOR/TEAM have access to studies and information concerning the "comparative costs and benefits of high-speed rail" as mentioned in the RFP or will the CONTRACTOR/TEAM be responsible for gathering and publishing this information?

Answer 24

Contractor/Team will have access to all existing Authority materials. Contractor/Team will advise / work with the Authority on additional materials deemed necessary.

Question 25

Will the Authority provide a summary of the successes and failures of previous outreach and communications strategies?

Answer 25

Authority expects this element to be addressed within proposals, in the section discussing "project understanding."

Question 26

Is the CONTRACTOR/TEAM responsible for addressing the Socioeconomic, Community and Environmental Justice concerns addressed in California's HST Project-Level Environmental Methodologies report? If not, will the CONTRACTOR/TEAM be privy to the information gathered by the entity/team responsible for addressing the concerns?

Answer 26

Regional Environmental and Engineering consultants are responsible for this. Contractor/Team will have access to all existing Authority materials.

Question 27

While the object of the RFP is formally titled the "Statewide Public Information and Communications Program", there are also a number of references to the "Public Outreach Program." Do these terms refer to the same program? If not, how do they relate to each other?

Answer 27

Public Outreach is an element of the Communication's program.

Question 28

The Scope of Work section of the RFP indicates that that the Work Plan for the Statewide Public Information and Communication Program should include "the preparation of an annual Business Plan for distribution to the Administration, the Legislature and stake holders." Could you provide additional information on the role that the CONTRACTOR/TEAM would play in commissioning and preparing this Business Plan? The 2008 Authority Business Plan contains ridership and revenue assessments from Cambridge Systematics and financial projections by Infrastructure Management Group (IMG). How often does this type of research need to be revised and updated? Should budgets in the Work Plan include the costs to update these numbers?

Answer 28

Legislation governs how frequently the Authority's business plan is to be updated. Information contained within a business plan would be provided by the Authority's financial and program management consultants. In that the business plan is a major public document, Contractor/Team will have significant ownership over the document.

Question 29

How should the requested Cost Proposal be broken down? Should these numbers represent an average monthly, yearly or comprehensive budget?

Answer 29

Please see Attachments A and B contained within the RFP.

Question 30

Can additional information be provided on the current and past efforts of the Authority in terms of earned media? What has been done in the past to combat misinformation? Are there regional or statewide Rapid Response teams in place to quickly and concisely diffuse attacks? Does the Authority have a media monitoring system?

Answer 30

Authority expects these elements to be addressed within proposals, in the sections discussing “project understanding” and “work plan.” Yes, the Authority currently conducts media monitoring.

Question 31

Have surrogates been identified by media market? Does the Authority maintain a statewide media list?

Answer 31

Yes. These tasks would be functions of the Contractor/Team.

Question 32

There are unofficial Twitter, Facebook, and blog communications in support of California High Speed Rail; are any official new media efforts already in place?

Answer 32

Other than the Authority's Web site, www.cahighspeedrail.ca.gov, no.

Question 33

What efforts are currently underway and expected in the future to gauge public opinion? Has the Authority commissioned public opinion polls and/or focus groups recently? What role will the CONTRACTOR/TEAM play in these areas? Should any budget elements of public opinion research be included in the proposal?

Answer 33

The Authority has not conducted public opinion polls or focus groups recently. As to those elements' inclusion in the proposal, it is up to the applicant to determine and advise whether those services are necessary within this program.

Question 34

What role is the CONTRACTOR/TEAM expected to play in paid media efforts? Are there separate paid media consultants employed by the Authority? What is the expectation on the scope and frequency of paid media buys? What is the approval process for paid media?

Answer 34

The Authority does not employ paid media consultants, and therefore there is no existing approval process for paid media. As to that element's inclusion in the proposal, it is up to the applicant to determine and advise whether those services are necessary within this program.

To: Chairman Kopp and Authority Members **Date:** March 2, 2007

From: Mehdi Morshed, Executive Director

Subject: Agenda Item 6 - Contracting Procedures

Now that we have awarded three contracts and will have more contracts to award, I recommend that the board adopt a uniform policy for awarding contracts in the future. The attached procedure is based on past practice and modified to accommodate your interests as expressed at various board meetings. The contracting procedures are for contracts awarded based on Request for Proposal (RFP) and Request for Qualification (RFQ) processes.

The procedures for the RFP and RFQ processes are as follows:

Procedures for Request for Proposals (RFPs)

1. A Scope of Work is prepared by the staff based on need.
2. A final draft of RFP is submitted to the Board one week prior to a board meeting.
3. After review and comment, the Board approves the Scope of Work and the RFP.
4. RFP's are advertised and the staff receives and evaluates the proposals.
5. An evaluation committee is formed of at least five individuals with a minimum of two persons who shall be state, regional or local public employees familiar with transportation issues.
6. The evaluation committee reviews and scores the submitted Technical Proposals based on published criterion; those firms that score at least 85% are invited to participate in the oral interviews. At the conclusion of the oral interviews the evaluation committee will score each team based on their oral interview performance, the technical proposal submittal and the firm's financial solvency. The firm with the highest score will be selected to do the work.
7. The Board receives the recommendation and accepts or rejects the selection.
8. If the board rejects the recommendation a new RFP is issued.

9. Upon approval of the Executive Director's recommendation by the Board, the Executive Director is authorized to enter into contract with the selected firm. Final contract terms are prepared with assistance by legal counsel and the Executive Director may seek advice from outside counsel regarding the contract.
10. Once all the terms and conditions are accepted by the contractor and reviewed by the Executive Director and by legal counsel, the Executive Director executes the contract on behalf of the Board.
11. The Executive Director may execute any contract amendment provided that it is consistent with the Scope of Work and budget and promptly transmits written notice to all board members.

Procedures for Request for Qualifications (RFQs)

1. A Scope of Work is prepared by the staff based on need.
2. A final draft of RFQ is submitted to the Board one week prior to a board meeting.
3. After review and comment, the Board approves the Scope of Work and the RFQ.
4. The RFQ is advertised and the staff receives and evaluates the Statements of Qualifications (SOQs), including those SOQs on file with the Authority.
5. An evaluation committee is formed of at least five individuals with a minimum of two persons who shall be state, regional or local public employees familiar with transportation issues.
6. The evaluation committee reviews and scores the submitted SOQs based on published criterion and selects at least three (3) firms to participate in oral discussions of their qualifications and their approach to completing the work. At the conclusion of the oral discussions the evaluation committee will recommend to the Executive Director a ranking of firms "1", "2" and "3".
7. The Executive Director enters into negotiations beginning with the firm ranked "1". If negotiations are not successful, the Executive Director will enter into negotiations with the next highest ranked firm. After completion of successful negotiations, the Executive Director submits his/her recommendation to the board.
8. The board receives the recommendation and accepts or rejects the recommendation.
9. If the board rejects the recommendation a new RFQ is issued.

10. Upon approval of the Executive Director's recommendation by the Board, the Executive Director is authorized to enter into contract with the selected firm. Final contract terms are prepared with assistance by legal counsel.
11. Once all the terms and conditions are accepted by the contractor and reviewed by legal counsel and the Executive Director, the Executive Director will execute the contract on behalf of the Board.
12. The Executive Director may execute any contract amendment provided that it is consistent with the Scope of Work and budget and promptly transmits written notice to all board members.

Memo

Re: Outreach and Public Information RFP
To: Board Members
From: Curt
Date: September 10, 2009

California's high-speed train project ought to be an example of a government project done right – and that means being 100 percent open and transparent with Californians every step of the way.

In seeking out a new statewide communications and outreach contractor, the Authority followed the proper RFP procedures and made an objective recommendation. However, we realize we could have been more transparent about the process in order to more openly display that objectivity and strict adherence to state procurement procedures.

Therefore, following discussions with and recommendation from Executive Director Morshed and Deputy Director Barker, the Authority will re-advertise the solicitation and re-conduct the RFP process for this important contract in a way that more openly displays our procedures and sets a precedent for transparency in the awarding of government contracts.

Reaching out to the public as broadly as possible and ensuring access to information about the proposed high-speed train system is critical to the success of this project. I expect that a formal recommendation will be brought before the Board as soon as the November meeting.

Curt

QUESTIONS – RFP Oral Interviews – 10/22/09

1 – 2 Ogilvy / Deutschman

2 – 3 Porter Novelli / California Strategies

- It is difficult to measure the success of Public Information and Communications programs, how do you propose the Authority measure your proposed program's success?
- Through the EIR process, the Authority is somewhat restricted in the types of promoting we can engage in. However, biased advocacy would sometimes be a powerful tool for pushing back against organized opposition. How would you propose to deal with this challenge?
- What kind of / level of involvement do you envision for our Board members when it comes to outreach and being spokespeople for the project?
- Please prioritize five first major messages you believe should be developed including the target audiences for those messages and the platforms for delivery.
- Particular sections of the project are not included in the initial phase of the project (Riverside, San Diego, Sacramento and the Altamont corridor) how do you propose we keep them engaged and supportive of the project or at the minimum not working against the project?
- The Authority requested \$4.7B in ARRA funds for the LA-Anaheim, SF-SJ and the Central Valley corridors, potentially the Authority will receive the entire amount of our request, however there is a possibility that we will only get funding approved for one or two of these corridors. What would be your proposed plan of action?
- Talk about your baseline research data. How will you know about awareness levels, attitudes and perceptions?
- How do you envision work flow would work on a daily basis?
- How do you define community outreach and how will you establish standards for a statewide program to ensure success and equal effort? What will success look like?



**CALIFORNIA
HIGH-SPEED RAIL
AUTHORITY**

**Resolution #HSRA10-010
Approval of Public Information and Communications Contractor**

Resolved, that the Board directs the Executive Director to post a notice of intent to award the Public Information and Communications Contract to Ogilvy Public Relations Worldwide, and, following the appropriate period of time, to enter into contract and subsequent amendments as necessary with Ogilvy Public Relations Worldwide for Public Information and Communications services specified in Request for Proposal HSR09-06.

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